

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

PHERAH LLC,

Plaintiff,

v.

**CAPITAL ONE FINANCIAL
CORPORATION; AMERICOMMERCE,
LLC,**

Defendants.

**CIVIL ACTION NO 6:17-cv-655-
JRG**

JURY TRIAL DEMANDED

**NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANTS CAPITAL ONE
FINANCIAL CORPORATION AND AMERICOMMERCE, LLC WITHOUT
PREJUDICE PURSUANT TO FED. R. CIV. P. 41(a)(1)(A)(i)**

Pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Plaintiff Pherah LLC (“Plaintiff”) voluntarily dismisses the action against Defendants Capital One Financial Corporation and Americommerce, LLC WITHOUT prejudice. Plaintiff affirmatively represents that Defendants have not filed or served an answer, nor a motion for summary judgment. Each party to bear its own costs and fees.

Dated: December 22, 2017

/s/ Papool S. Chaudhari

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this, the 22nd day of December, 2017. Any other counsel of record will be served by first class U.S. mail on this same date.

/s/ Papool S. Chaudhari